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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sato, Y.
Serial No.: 10/762,696
Filed: January 22, 2004
For: SEMICONDUCTOR LASER ELEMENT
AND METHOD OF FABRICATION
THEREOF
Case No.: 09792909-5777
Examiner: Van Roy, T. T.
Group Art Unit: 2828
Confirmation No. 5250

Certificate of Mailing (37 CFR 1.8(a))
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450
on:

Date of Deposit: February 10, 2006 2/10/06
Paula M. Theismann
Paula M. Theismann Date

TRANSMITTAL LETTER

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith is a Response to Restriction Requirement of YOSHIFUMI SATO in the above-identified patent application.

Also enclosed is: Return Receipt Postcard

The Commissioner is hereby authorized to charge any additional fees required, as well as any patent application processing fees associated with this communication for which full payment has not been tendered, to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

SONNENSCHN NATH & ROSENTHAL LLP

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By:

David R. Metzger
David R. Metzger
Registration No. 32,919



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RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

S I R:

This amendment is being filed in response to the Office Action dated January 31, 2006. Please reconsider the application in view of the amendment and remarks presented below.

ELECTION OF CLAIMS

In the Office Action, the Examiner requested an election of claims pursuant to a restriction requirement under 35 U.S.C. §§121 and 372 between Group I - Claims 1-4 and Group II - Claims 5-7.

In response, Applicant hereby elects Group I - Claims 1-4 for further examination.

Respectfully submitted,

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